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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 20th meeting
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Chairman: Mr. Loedel ..... (Uruguay)

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03-60008 (E)

The meeting was called to order at 10:10 a.m.

Agenda Item 77 : Report of the Special Committee for investigating the actions of Israel affecting human rights in relation to the Palestinian people and other Arabs in the occupied territories
(A/58/155, A/58/156, A/58/263, A/58/264, A/58/310, A/58/311; A/C. 4/58/L.17, A/C.4/58/L.18, A/C.4/58/L.19, A/C.4/58/L.20 and A/C. 4/58/L.21)

1. **Mr. Khamid** (Pakistan) said that the actions of the Israeli armed forces on the occupied territories contradict all legal documents relating to the situation of persons residing in occupied territories, specifically the Fourth Geneva Convention regarding the protection of civilian populations during wartime, the validity of which extends to the West Bank, the Gaza Strip, and the occupied Syrian Golan Heights, which has been confirmed by multiple resolutions of the General Assembly and Security Council, as well as of the International Committee of the Red Cross (ICRC). Established in this Convention are the obligations of occupying powers with respect to the persons covered by it, and such practices as premeditated murder, inhuman treatment, or deportation are prohibited. It also prohibits the displacement of a part of the population in occupied territories, which unfortunately is a measure widely practiced by Israel in the occupied Arab territories.

2. Israel is a signatory to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and to the International Covenant on Civil and Political Rights, in accordance with which it is obligated to defend and respect the right to life and the right of a people residing under occupation to freedom from torture and cruel, inhuman, or degrading treatment and punishment, which have also been everyday practices in the occupied territories.

3. Among the aggressive and provocative actions of Israel during recent months are the illegal construction of a separating wall and the destruction of homes in the Gaza sector. As a consequence of the construction of this wall, extensive territory in the occupied West Bank has de facto been ceded to Israel, and arguments to the effect that the wall is a temporary measure for the purpose of defending Israel against terrorism are unconvincing. As is apparent, these actions reflect the attempt to seize land prior to a settlement of the Middle East conflict on the basis of the principle of "land for peace."

4. In the report of the Special Committee, numerous examples are cited of incidents in which Palestinians and other Arabs were denied their rights of freedom of movement, of fair and appropriate working conditions, of education and health care, of freedom and the inviolability of the person, and of decent living conditions. As a consequence of the current restrictions, more than 50 percent of Palestinians of working age are unemployed, and 60 percent live below the poverty line. Despite the fact that international legal norms exist, which defend the rights of a civilian population in occupied territories, and the fact that resolutions have been adopted in the United Nations, the occupying powers in Palestine and in Jammu and Kashmir have refused to carry out their juridical obligations. The aforementioned norms must be followed without exception or conditions, especially when, as a result of a harsh state policy, the lives of innocent people are placed under threat. The Fourth Committee should request that the Security Council take effective measures for the purpose of assuring that Israel carry out its juridical obligations, but also that it take decisive steps to persuade the relevant governments of the necessity to cease their policy of repression against the population of the occupied territories and to contribute to a genuine settlement of the long-standing disputes on the basis of political negotiations, as laid out in the Charter of the United Nations.

5. **Mr. Isa** (Malaysia) said that, in light of the difficult situation of the Palestinians and other Arab peoples living under Israeli occupation, it is extremely important that the Special Committee continue to inform the international community regarding the magnitude of the consequences of the 36-year occupation for various aspects of life for the Palestinians and other Arab peoples. Unfortunately, Israel, in violation of resolution 57/124 of the General Assembly and the earlier relevant resolutions, has continued to refuse the Special Committee access to the occupied territories, and the Committee has been required to make use of information that has been received from verbal reports of witnesses, as well as from data made available by the government of the Syrian Arab Republic, by agencies of the United Nations, and by NGOs.

6. The delegation of Malaysia has been disappointed to note that Israel continues to refuse to cooperate with the Special Committee in carrying out the latter's mandate. The government of Israel is not only not permitting the Special Committee to directly investigate the situation on the ground, but does not even make use of the opportunity to present to the Committee its ideas with regard to this question. Equally unfortunate is the fact that the government of Israel has not reacted to the request of the General Secretary to make information available regarding the steps that it has undertaken to carry out the resolutions of the General Assembly regarding this item of the agenda, specifically, resolutions 57/125, 57/126, 57/127, and 57/128. This position of the government of Israel suggests that its goal is that the international community know nothing concerning the terrible living conditions of the Palestinians and Arab populations under occupation and concerning the violations of human rights that are being committed by it in the occupied territories. Instead, Israel accuses the Special Committee of a one-sided view of the situation, notwithstanding the committee's attempts to assure that the report contain objective and accurate information based on information taken from witnesses under oath. In fact, the conclusions of the Special Committee are confirmed by the conclusions contained in the report of the Special Reporter of the Commission on Human Rights and in the report of the Economic and Social Commission for Western Asia. It must be noted that, despite the absence of cooperation on the part of the government of Israel, the Special Committee has succeeded in taking the eyewitness testimony of Israeli citizens - both Arabs as well as Jews - as well as of representatives of Israeli NGOs, who have testified as to the difficulties encountered by Palestinians and other Arabs.

7. The report of the Special Committee contains detailed information on the rapidly worsening humanitarian situation and the situation in the area of human rights in the occupied Palestinian territory and concerning the deprivations that have been suffered by Syrian citizens on the occupied Syrian Golan Heights. In the context of human rights, the report pays particular attention to the rights of self-determination, freedom of movement, decent living conditions, fair and appropriate working conditions, education and health care, the inviolability of the person, the freedom of belief and association, the freedom of religious observance, and life.

8. The carefully designed system of administrative laws and procedures of control, the setting up of checkpoints, and the introduction of curfews, as well as other legal and administrative measures taken by the government of Israel provide unambiguous evidence that Israel intends to systematically monitor and control the life of the population in the occupied territories, especially the Palestinians. The international community should recognize that such violations as the premeditated murder of Palestinians, including extra-judicial punishment; mass arrests and arbitrary arrests; the destruction of Palestinian homes and property; the confiscation of Arab lands; and other forms of collective punishment, as well the building of Jewish settlements have been carried out over an excessively long period of time. The international community condemns the murder of innocent Israeli citizens, but in this regard it is difficult to understand how the measures undertaken by Israel and its policy and practices can promote the achievement of security for the state or of peace in the region. Israel should recognize that its actions evoke in Palestinians only feelings of bitterness, indignation, and hatred, which leads in turn to attacks directed against this country, including the actions of suicide bombers.

9. It is deeply troubling that one consequence of Israeli policy and practices in the occupied Palestinian territory is a serious economic decline, which is demonstrated by the economic indicators that are presented in the report. As the Committee has indicated, the economic disaster in the occupied Palestinian territories sooner or later will have an effect on Israel and will become an impediment on its own path of development. Thus, in the period from September 2000 to December 2002, the per capita gross domestic product in Israel declined by nine percent, which according to the report of the World Bank amounts to USD 3-3.6 billion.

10. In addition, the ongoing building of settlements in the occupied territories continues to represent a serious obstacle in the path of the peace process. This activity has resulted in the fact that, on the occupied Palestinian territory, including East Jerusalem, more than 200 settlements have been created, in which are living 400,000 Israeli citizens. In this connection, one must also mention the building of the wall, which does not coincide with the "green line" of 1967 and passes far into Palestinian territory, and which will have far-reaching political, economic, and social consequences.

It is thought that the creation of this wall will result in direct injury to the Palestinians and will create new streams of refugees and displaced persons. The Special Reporter of the Commission on Human Rights, having visited the region in June 2003, declared that building the wall represents a naked act of annexation of territory carried out under the pretext of guaranteeing security. In this connection, the delegation of Malaysia welcomes the adoption on 21 October 2003 at the resumed tenth extraordinary special session of the General Assembly of resolution ES-10/13, which demands that Israel cease the construction of the wall. Malaysia hopes that the government Israel will review its position in light of this resolution.

11. It is obvious that the life of the Palestinians and Arabs under Israeli occupation is extraordinarily difficult, and the situation has worsened as a consequence of the renewal of military operations by Israel and the building of settlements. The international community must not close its eyes to the disastrous situation of these people. It is necessary to undertake the maximum effort to encourage Israel to change its behavior, as laid out in items 99 and 100 of the report of the Special Committee.

12. There can be no doubt that the report has proven the necessity of extending the mandate of the Special Committee until the violations of human rights of the Palestinians and other Arabs living in the occupied Palestinian territories have ceased, and until there is an end to the Israeli occupation. Malaysia sincerely hopes that the mandate of the Special Committee will be extended, and in this connection it supports the draft resolution with respect to its work.

13. **Mr. Rececho** (Cuba) said that Cuba had been surprised by the announcement of one of the delegations to the effect that its goal was to liquidate the Special Committee. This is an unproductive approach inasmuch as the work of this body is more necessary now than ever before. Over the past year we have seen an unprecedented escalation of violence in the occupied Arab territories. With the absence of cooperation from the Israeli authorities, the efforts of the international community, including those of the United Nations, have not been successful. The application of a double standard, and the use or threat of use by one of the permanent members of the Security Council of the veto in voting for any draft resolution directed at settling this long-standing conflict, have paralyzed the work of the Security Council, since it does not take into account the opinions of the majority of the members of the international community as expressed in this body. Everyone knows that when a draft resolution is presented to the Security Council that is designed to accelerate the development of a balanced approach to the situation in the occupied Arab territories, the threat of a veto is immediately raised.

14. The aggressive actions of the Israeli occupying forces undertaken during the last year against the Palestinian civilian population have not only resulted in human victims among the Palestinians and Israelis, but they have also damaged the economy in the occupied territories, which has threatened the very existence of the Palestinian national administration. Continuing the blockade, introducing a curfew, closing roads, increasing the number of checkpoints, and prohibiting Palestinians from entering areas where their workplaces are located has deprived thousands of Palestinian families of the means of subsistence. At the present time, 60 percent of the Palestinians live below the poverty line.

15. The Israeli armed forces are employing the latest military technology against the Palestinian people in the occupied territories - from reactive airplanes and rockets with depleted uranium to the usual high-caliber weapons. The situation without any doubt demonstrates outrageously massive violations of the human rights of the Palestinian people, especially the right to life. In addition, the principles of international law and international human rights as well as the provisions of the Charter of the United Nations are also being violated. As a consequence of the continuing violations, the provisions of the Fourth Geneva Convention and numerous resolutions of the Security Council and General Assembly concerning the Arab territories have become empty words.

16. The report of the Special Committee contains detailed information on the actions of Israel with respect to the ongoing building of settlements on occupied Arab territories, the unprecedentedly widespread destruction of homes, public buildings, and religious places, the confiscation of agricultural lands, the closing of the territories, the ill treatment of prisoners and detainees, the deprivation of residence permits in Jerusalem, and other violations. During recent months, a new problem has arisen - the construction on occupied Palestinian territories of a separating wall, which de facto represents an

annexation of the most fertile lands and is a violation of the integrity of the Palestinian territories, which even apart from this have been subject to serious violation in connection with the expansion of settlements.

17. In conclusion, the speaker declared that Cuba shares the wish of the international community to arrive at a just and lasting peace in the entire Middle East region. It is impossible to achieve this goal as long as obstacles exist to the effective and complete realization of the basic rights of the Palestinian and Arab peoples on all territories under foreign occupation. Cuba supports the inalienable right of the Palestinian people to form an independent state with its capital in East Jerusalem, and it demands from Israel the return of all occupied Arab lands.

18. **Mr. Al-Otaibi** (Kuwait) said that Israel is continuing its repressive policy, which contradicts the norms of international law and violates the rights of the Palestinian people and all those living on territories occupied by Israel. This policy has led to an extreme worsening of the situation in the area of human rights, and has only aggravated the very unfavorable social situation of the entire Palestinian population. One can only regret the fact that the Israeli occupying forces continue their military actions, arrests, and persecutions, the firing on unarmed civilian populations, the destruction of homes, the confiscation of lands, and the blockading of populated areas. The Israeli authorities have introduced harsh restrictions on the movements of the Palestinian population and have carried out the premeditated murder of Palestinian leaders. It is well-known that the general insurrection of the Palestinian people - the intifada - was incited by the provocative visit of the Prime Minister of Israel at the end of September 2000 to places that are sacred to Palestinians. Subsequent to these events, a wave of murders and oppression followed, in which innocent people died, including women and children, which is a flagrant violation of the Geneva Convention of 1949 regarding the protection of civilian populations during wartime.

19. The main problem for Palestinians and Arabs on the territories occupied by Israel are the harsh measures carried out by the occupying forces, for the purpose of obstructing a settlement of the Arab-Israeli conflict. As concerns the separating wall, the international community has already expressed its opinion in this regard, and at the 10th special session of the General Assembly a resolution was adopted which condemns these actions of Israel and calls on it to cease construction.

20. Kuwait also condemns Israel's occupation of the Syrian Golan Heights, where Israel is violating all the resolutions of the international community and the norms of international human rights. The international efforts undertaken by the "quartet" remain important, as are other initiatives directed at ending these actions by Israel. Israel persistently continues its policy of refusing a civilized settlement of the Arab-Israeli conflict despite the adoption by the Security Council of a whole series of resolutions. Israel refuses to carry out the plan proposed by the "quartet" under the name of the "road map," which has the approval of the entire international community. Israel not only ignores all resolutions condemning the excessive use of force, but it is also violating all the agreements it has signed with the Palestinian side.

21. Kuwait once again affirms its position in principle, according to which it is necessary to show support to the Palestinian people in realizing all of its legal rights, achieving independence, and creating its own state with its capital in Jerusalem. Kuwait supports all the international efforts directed at reviving the negotiations between the Palestinians and Israeli sides. It is persuaded that this problem can be resolved only on the basis of direct dialogue and by peaceful means without the use of force against the Palestinian people. Kuwait once again affirms its support for the work of the Committee and demands that the Israeli government cooperate with it and carry out its resolutions. Kuwait calls on the international community to renew its efforts and to place pressure on the government of Israel to change its position and to carry out the "road map" and all relevant resolutions of the United Nations for the purpose of achieving a settlement in the Middle East.

22. **Mr. Ri Song Chol** (Korean People's Democratic Republic) said that the situation in the Middle East, specifically the question of Palestine, continues to evoke ever greater concern not only in the region but in all countries of the world. Israel is continuing its expansionist policy, trampling on the democratic rights and freedoms of the Arab and Palestinian peoples, who are living in the occupied Arab territories. This is confirmed by the construction of the wall on the West Bank and in the Gaza sector under the pretext of defending Israelis from Palestinian suicide bombers,

and also by the attacks on the Syrian territories under the pretext of "the war on terrorism." These actions are essentially aimed at achieving a one-sided determination of the borders on illegally occupied territories, and they represent a violation of the sovereignty and territorial integrity of a sovereign state.

23. The one-sided building of the wall, the expansion of settlements, and the indiscriminate attacks must be halted immediately. This is one of the most important conditions for a peaceful settlement of the Middle Eastern problem. Interested states must assist the parties to this conflict to settle it on the basis of dialogue and negotiation, adopting for this purpose an unbiased position, and refraining from all steps directed at justifying illegal actions or at provoking them.

24. The Korean People's Democratic Republic considers that Israeli troops must be withdrawn from the occupied Arab territories, including the Syrian Golan Heights, in accordance with the resolutions of the United Nations regarding the achievement of peace in the Middle East, and with the principle of "land for peace." The speaker declared his support for the just struggle of the Palestinian and Arab people for the establishment of their legal national rights, including the right to return to their homeland and the right to create there an independent state with its capital in East Jerusalem.

25. **Ms. El-Alaoui** (Morocco) said that the "road map" had provided a ray of hope for peace, but that this hope was ended in a hail of bullets. During the current period in the occupied Palestinian territories, there has been a continuation of raids on cities, murders, and cases of the use of excessive force against civilian populations, as well as violations of human rights on the Syrian Golan Heights. Large areas of land on the Syrian Golan Heights have been expropriated and given to the European population, and the local Arabs have been deprived of the opportunity to use the water resources, which have been diverted for the use of the European population. The separating wall being built by Israel has deeply cut into the West Bank, as a result of which entire cities have become isolated, and thousands of Palestinians have been deprived of a means of subsistence. The construction of this wall represents the annexation of Palestinian land.

26. Violence can never be stopped by violence, and no military power or occupation is capable of breaking the will of the Palestinian people. Morocco stands for the establishment of peace and the creation of a Palestinian state with its capital in Jerusalem, the return of occupied territories in Syria and Lebanon, and the guarantee of security for all states in the region, including Israel.

27. **Mr. Al-Najar** (Yemen) said that the reports that have been presented have presented a terrible picture of the situation of the Palestinian people in the occupied territories, and for this reason it is not surprising that Israel does not permit visits by the Special Committee to the territories. The international community has been accustomed to the fact that Israel is trampling on the norms of international rights and is ignoring resolutions of the General Assembly of the United Nations, including the resolution calling for the cessation of the construction of the separating wall. The tragedy of the Palestine people lies in the monstrous, unprecedented occupation, which is maintained by the most modern means of war fighting. If history is the best teacher, the history of resistance to occupation and to colonization has already provided more than a few lessons. Unfortunately, Israel is not making use of the opportunity for achieving peace. The delegation of Yemen condemns the policy of Israel, which is directed at altering the legal status of the Syrian Golan Heights through the means of introducing its own administrative legal jurisdiction over this region. Arab countries start from the premise that bloodletting only gives rise to more violence, and they are not losing hope that the force of logic can prevail over the logic of force.

28. **Mr. Al-Malki** (Saudi Arabia) expressed gratitude to the members of the Special Committee for their objective and impartial consideration of the policy and actions of Israel in the occupied Palestinian territories. According to the opinion of the Saudi Arabian delegation, the Special Committee should continue its work until there is an end to the occupation and the illegal actions of the Israeli occupying forces against Arabs in the occupied Palestinian territory. The refusal of Israel to allow the Special Committee access to the occupied territories does not leave any doubts in the mind of the international community that it intends to continue its policy of oppression and suppression and is not striving for peace. Saudi Arabia supports the efforts of the international community that are directed

towards the immediate cessation of the illegal actions of Israel, and it calls on Israel to carry out its obligations in accordance with the "road map." The international community should introduce international forces to separate Israel and the Palestinians with the purpose of assuring the implementation of this plan.

29. **Mr. Carnelos** (Italy), speaking in the name of the European Union, the new member countries of Hungary, Cyprus, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia, the Czech Republic, and Estonia, the associated countries, Bulgaria, Romania, and Turkey, as well as the member countries of the European Free Trade Association (EFTA), Iceland, Liechtenstein, and Norway, expressed his serious concern in connection with the escalation of violence in the Middle East, especially in the occupied Palestinian territories and Israel, and he called on both sides to exert maximum restraint, to halt violence, and to carry out their obligations with the goal of the complete and rapid implementation of the "road map" produced by the "quartet." The European Union decisively condemns any acts of violence and terrorism in the region. Halting violence and achieving a long-term settlement between the parties is a necessary precondition for improving the situation in the area of human rights on the occupied territories. The European Union decisively condemns terrorist attacks on Israeli citizens, affirming the legal right of Israel to self-defense, but it decisively emphasizes that any measures for combating terrorism must be realized in full compliance with the principles and norms of international law, specifically the norms in the area of human rights, and the norms regarding refugees and humanitarian rights, and in this context he called on all states to cease to provide asylum and to afford assistance, including financial assistance, to any groups or persons resorting to achieving their goals through terror or violence.

30. The European Union once again affirms its view that Israel may guarantee its own security only on the basis of settling the conflict through negotiations, as a result of which the occupation will end and a viable Palestinian state will be created adjacent to Israel. The European Union once again appeals to the government of Israel to exercise a maximum of restraint and to act in full compliance with the norms of international law, specifically the provisions of the Fourth Geneva Convention. In light of the serious concern regarding the continuing occupation by Israel of Palestinian cities, and the serious limitations placed on the freedom of movement of people and goods, the European Union calls on Israel to lift the blockade from the occupied territories and to carry out an immediate withdrawal of the occupying forces from Palestinian cities to positions occupied before 28 September 2000, and to immediately adopt measures for assuring a maximum, safe, and unobstructed access to the occupied territories by international personnel and personnel involved with providing humanitarian assistance. The European Union demands that Israel cease its work in building the separating wall on the occupied Palestinian territory, along with all other illegal actions. The European Union calls on Israel to cease its activity in building settlements, including the planned expansion of settlements, which contradicts the norms of international human rights, since this activity threatens to destroy the basis for realizing the conception set out in the "road map" of the existence of two states, and it significantly complicates the achievement of a settlement through negotiations. At the foundation of any peaceful process, there must be the fundamental principle of resolution 242 (1967) of the Security Council concerning the impermissibility of obtaining territory by force.

31. The European Union once again affirms the strategically important significance of the Palestine administration in its role as partner in the peace process and calls on it to take all possible legal measures for the effective combating of terrorism, to condemn terrorism without reservation, and to cease all incitement. Palestinians must continue to reform the Palestinian authority with the goal of achieving greater effectiveness of administration, greater transparency, and a greater degree of trust for it as a partner in the peace process. The European Union assures the Palestinian administration of its complete support and once again declares the serious necessity of forming a stable Palestinian government, headed by a fully authorized prime minister, and once again calls on all Palestinian organizations to declare a cease-fire immediately and without reservation.

32. The European Union holds the opinion that achieving a cardinal, just, and peaceful settlement of the conflict and a comprehensive peace in the region is only possible through the immediate and lasting implementation by all parties of the "road map." The European Union once again emphasizes the necessity of an immediate transition to political negotiations

between the parties with the support of the international community.

33. **Mr. Camara** (Senegal) said that an unprecedentedly alarming situation has arisen on the occupied Palestinian territory, one that compels us to ponder the most effective means for putting an end to violence, terror, and the flagrant and systematic violations of human rights. The report of the Special Committee has shown with great persuasiveness that Israel is continuing to refuse to the Palestinian and Arab population the realization of basic political, economic, and cultural rights, as codified in international law, and by its actions is pursuing a single goal - to destroy the economy of these territories and to administer a serious blow to the goal of development, which is confirmed by the most recent statistical data, documenting that as a result of the continuation of the intifada the gross national income has been reduced by 50 percent, and that more than one-half of the Palestinian population is unemployed. The economic slump continues to exercise a negative influence on the standard of living of Palestinians, which is reflected in the significant reductions in the per capita income of the population and in a serious worsening of the situation in the area of health care. Israel should understand that, in accordance with the provisions of the Fourth Geneva Convention, it is obligated to provide for the appropriate functioning of basic services, specifically in the area of education and medical care, to cease its transforming schools into military bases and prisons, to strictly observe the principles regulating the treatment of prisoners of war and the defense of civilian observations, and to refrain from strategies and tactics that contradict all norms of international law. The policy being carried out by Israel of constructing settlements is requiring Palestinians to abandon their native places and is a flagrant violation of the provisions of the "road map." Despite the norms of international law, Israel continues its occupation of the West Bank and the Gaza sector, and it continues to construct the separating wall. Senegal has already decisively condemned this new form of annexation of Palestinian lands, since the construction of the separating barrier unequivocally represents an illegal de facto annexation of Palestinian territory. The international community should decisively condemn similar actions of Israel, which undermine all efforts aimed at achieving a radical and just settlement of the Palestinian question. The situation regarding human rights in the Palestinian territories is constantly worsening, and the occupying power is attempting to assimilate the native population, making the study of Hebrew compulsory.

34. The slowdown in the current peace process in the Middle East reminds us that it is vital for the international community to be energetically involved in the search for avenues toward a just, long-lasting, and comprehensive settlement, in connection with which the efforts of the members of the "quartet" deserve high marks. The speaker reminded his listeners of the position of Senegal with regard to this question, which is shared by many countries and is supported by the General Secretary, and which seeks to send to the area international peacekeeping forces charged with defending the civilian population and with fostering the necessary conditions for both sides to once again sit at the negotiating table. In order to make a reality of the "road map," it is vital to assist both sides in refraining from the hatred and distrust of recent years. Senegal calls on the members of the "quartet" to accelerate their efforts to revive a dialogue between Israel and Palestine and appeals to the international community for extraordinary assistance to the Palestinian population, which finds itself in a disastrous situation. Senegal declares its decisive support for the recommendations contained in the report of the Special Committee and, for its part, proposes the following measures to be undertaken without delay: cease the construction of settlements on occupied Palestinian territories; cease construction of the separating barrier and destroy what has been constructed; liquidate the settlements mentioned in the "road map"; foster the respect of the occupying power for the provisions of the Fourth Geneva Convention; send international peacekeeping forces between the warring sides with the purpose of securing peace and security and of protecting the civilian population.

35. **Mr. Mekel** (Israel) said that for the 35 years of its existence, the Special Committee has involved itself largely with anti-Israeli propaganda, which has in no way led to any progress in the question of peace and reconciliation between the parties or to an improvement in the condition of the Palestinian people.

36. The fundamental prejudice of the Special Committee is evidenced by its name and the character of its mandate, presupposing that the actions of Israel violate the human rights of Palestinians, and excluding the possibility that the human rights of Palestinians might be influenced by the actions of other states,

including other states in the region, and the Palestinian leadership, which prefers to incite terrorism instead of condemning it as an amoral and illegal activity. In this connection, there is no basis for discussing the content of the report of the Special Committee, which undermines even the hope for a peaceful settlement, does not condemn aggression and terror, and does not lay out the possibilities for compromise, and which, as a result, can only incite Palestinian extremists to disrupt negotiations and to continue to carry out violence. A report of this type cannot be reconciled with the historical imperatives of the United Nations and is one way to squander the limited resources of this body.

37. The Special Committee, like other bodies of the United Nations, spends a significant portion of its inevitably limited resources on narrow political agendas, as evidenced by the amount of the requested appropriation in the proposed budget for programs in the two-year period, 2004-2005. One needs look no further than last summer during a three-week mission to Egypt, Jordan, and Syria, three members of the Special Committee were accompanied by 16 employees of United Nations. But despite such a expensive staff of aides, including 10 interpreters, the main points - the fundamental bias of the Committee and the failure to recognize the actual causes of the sufferings of the Palestinians - were not reflected in the translation.

38. The problem lies in the biased nature of the mandate of the Special Committee, as seen in the fact that any of its reports will contain sharp criticism directed at Israel and will ignore the actions of the Palestinians and of other sides, being dependent on maintaining the unstable and disruptive status in the region. Israel reminds its listeners that Palestine, Syria, and Lebanon are our neighbors, and we wish them well and want to conduct negotiations on all problems that remain unresolved between the two sides. Such a process is the only possible path to achieving a fundamental settlement in the interests of all peoples in the region on the basis of mutual recognition and reciprocal compromise.

39. The speaker urgently requested that the delegates vote against the report of the Special Committee and the resolutions associated with it.

40. **Mr. Yahya** (Libyan Arab Jamahiriya) said that for many years the Israeli authorities have restricted the movements of the Palestinian population, they have blockaded populated areas, established curfews, and conducted military operations, as a result of which the innocent civilian population, including women and children, has suffered fatalities. All of these actions, according to the declarations of the Israeli authorities, are supposedly undertaken in the context of the war on terror. In these actions, Israel has used the latest military technology, destroying residential houses and making thousands of Palestinians homeless and refugees.

41. Israel made use of the events of 11 September 2001 in order to rid itself of Palestinians, and it continues to carry out a policy of genocide towards the Palestinian people, seizing land in order to realize its dream - of creating on this land a purely Jewish state. To any impartial observer, the events taking place on the occupied territories are convincing evidence of the fact that the government of Israel does not want to establish peaceful relations with the Palestinians. Israel stubbornly ignores all peaceful initiatives undertaken by the Palestinians side, specifically the most recent one, the so-called "road map," despite the fact that it would provide Palestinians with only a very minimum of their rights.

42. Israel is attempting to find any pretext for the purpose of disrupting this initiative, pressing onto the Palestinians unthinkable and unfulfillable conditions and attempting to place Palestinian territories under its control. It continues to expand its settlements on the occupied territories, settling there Jewish immigrants from various countries of the world. In addition, the construction of the separating wall under the pretext of providing security is also being carried out on Palestinian territory, including in regions bordering on East Jerusalem.

43. Despite the efforts of the international community, virtually no hope remains for a peaceful settlement of the Palestinian problem in the near future. The Security Council and General Assembly have adopted many resolutions condemning the policy and the actions of Israel in the occupied territories and demanding a long-term and just settlement of the Middle East problem. Several of these resolutions were adopted as early as 1947, but Israel continues to ignore them. Nevertheless, the United Nations will continue to adopt such resolutions until Israel has completely carried out its obligations in accordance with them, withdrawing from the occupied Palestinian territories and assuring the Palestinian people of all its legal rights, and until the Palestinians have formed their own state with its capital in East Jerusalem.

44. If Israel actually wishes to live in security and peace in this region, it should withdraw its troops from the occupied territories. It must choose between occupation and security. As regards the Palestinians, Israel has also left them with only one choice. The Palestinian people have been pushed to the last degree of despair and bitterness. What else can they do to free their territory and defend their dignity and honor? What can the Palestinian people do with a power that uses all means of destruction, suppression, and repression.

45. Beginning in 1967, Israel has continued its expansionist policy on the Golan Heights. Attempting to annex this Arab land, Israel has created settlements on it and has adopted the laws necessary for that. All these actions have been carried out despite the resolutions of the international community, which have pointed to their illegal character and have demanded that Israel withdraw from this land. However, Israeli authorities stubbornly ignore these resolutions. Israel refuses to end the occupation of Lebanese territory, violating on a daily basis the airspace of this country and subjecting its populated areas to bombardment.

46. In conclusion, the speaker emphasized that the Security Council and the General Assembly must in the full sense of the word carry out the functions that are entrusted to it and exert pressure on the occupying power, Israel, in order that it end the occupation and carry out all resolutions of the United Nations with regard to the present question. This is necessary in order to achieve peace and stability in the region. Any other actions by Israel will foster an escalation of violence in relation to Palestinians and in relation to Israelis, as well as an escalation of violence in the entire Middle Eastern region and beyond its borders.

47. **Mr. Al-Zayani** (Bahrain) said that the situation regarding human rights in the occupied Palestinian territories and Syrian Golan Heights and has been steadily worsening. Acts of aggression committed by Israel flagrantly violate human rights, especially the right to life, which have been ratified in many international conventions. Human rights are also affected by the continuing campaign by Israel to expand the settlements, which received a new impetus in connection with the construction of the separating wall. This wall extends for approximately 650 kilometers, and it will extend deep into territory of the West Bank. Those parts of the wall that have already been constructed have cut off a series of villages and cities from the rest of the West Bank. According to the statements of a majority of witnesses testifying before the Special Committee, the main problem faced by Palestinians and other Arabs in these territories lies in the continuation of the military occupation by Israeli forces, since military authorities often have recourse to extreme uses of force with regard to the civilian population.

48. The military occupation also leads to pernicious consequences for the standard of living of the population. The destruction of homes and of property has reached unprecedented proportions, damage is being done to agricultural objects, and the predatory exploitation of natural resources continues. The complicated system of administrative measures introduced by the Israeli authorities affects all aspects of life of the Palestinians and Syrians in the occupied territories. Laws are being promulgated in order to invest officials with significant authority and to provide them with broad opportunities to manage the life of the people under their power. As a result of the policy of blockading the territories, indicators of the Palestinian economy have fallen sharply, opportunities for access to the service sector have been reduced, and obstacles have arisen to the provision of humanitarian assistance by international organizations.

49. As regards the occupied Syrian Golan Heights, the actions of Israel have also led to multiple negative consequences for the observation of human rights. Israeli authorities are attempting to reinforce their occupation in violation of a series of resolutions of United Nations, which affirm that the decision of Israel to establish its laws, jurisprudence, and administration on the occupied Syrian Golan Heights is null and void and has no international juridical force, and that measures designed to change the appearance of a territory and the demographic constituents of the population are impermissible. The occupation is also reinforced by Israel's policy of constructing and expanding settlements, suppressing political rights and freedoms, and distorting historical geographical information regarding the Syrian Golan Heights. Such actions of the occupying power are serious obstacles to peace.

50. Peace is a strategic choice. In the Millenium Declaration, the heads of states and governments affirmed their intention to establish a just peace on the planet, particularly noting the right to self-determination for people living under occupation. In

this connection, it must be noted that for securing a just and stable peace, it is necessary to strictly carry out the provisions of the United Nations resolutions, the agreements that have been concluded, as well as the obligations undertaken in the context of the Madrid Conference 1991, whose main points were to implement resolutions 242 (1967) and 338 (1973) of the Security Council, and to observe the principle of "land for peace." The sufferings of the Palestinian people will only cease when there is an end to the creation of settlements and the occupation, which by itself represents a violation of human rights.

51. **Mr. Kanaan** (Observer from the Organization of the Islamic Conference) said that the report of the Special Committee persuasively demonstrates the trampling by Israel of the will of the international community and the international legal norms in the area of human rights. Despite the refusal of Israel, the occupying power, to cooperate with it, the Special Committee must continue its activity in accordance with its mandate until there is an end to the Israeli occupation of Palestinian and Arab territories and to violations by Israel of the human rights of the Palestinian and Arab peoples.

52. In its indifference to human rights and their suppression, Israel has gone to unprecedented lengths, continuing to carry out a policy of extraordinary and indiscriminate application of force in regard to the innocent Palestinian civilian population, which has resisted the Israeli occupation and has defended its inalienable national rights. In violation of international rights and international humanitarian rights, Israel continues to have recourse to illegal and cruel punitive measures, which are prohibited by Articles 33 and 53 of the Fourth Geneva Convention. In addition, the use by Israeli occupying authorities of deadly ammunition against civilian populations is a flagrant violation of international law and testifies to the merciless trampling of the very foundation of human rights, the right to life. Flagrantly violating articles 16 and 17 of the Fourth Geneva Convention, the Israeli occupying forces have carried out attacks even on medical personnel in ambulances and have obstructed the provision of medical assistance to the Palestinians. Such Israeli practices have led, in September 2003, to 27 Israeli pilots submitting a petition to the commander of the Air Force of Israel in which they refused to obey illegal and amoral orders and to participate in air raids on civilian populated areas on the West Bank and the Gaza sector.

53. No less horrible consequences for the Palestinians have been generated by the construction by Israel of a separating wall, as a result of which whole villages have become cut off from the rest of the West Bank. Equally provocative has been the recent decision of Israel as a compulsory measure to permit access to Haram-al-Sharif to non-Muslims, including dangerous extremists. The Organization of the Islamic Conference has repeatedly condemned the refusal of Israel to carry out resolution 497 (1981) of the Security Council and once again declares that the policy conducted by Israel of annexation of land and of the construction of illegal settlements is a flagrant violation of international rights and of all relevant resolutions of United Nations. In addition, the recent military aggression of Israel against Syria is a dangerous, provocative act and seriously undermines the sovereignty of Syria, the Charter of the United Nations, and the principles and norms of international law. The Organization of the Islamic Conference also asserts its support for the government of Lebanon, which demands the complete withdrawal of Israeli troops from the Mazariya Shebaa strip and to free from Israeli prisons all Lebanese citizens. At the 10th Islamic Conference, which was held last month in Malaysia, participants at the highest level in their concluding communiqué called on the Security Council to approve the "road map" as representing progress towards the establishment of peace in the Middle East and to create a mechanism for its realization with clearly indicated deadlines. They emphasized the necessity of creating an international force for assuring separation between Palestinians and Israelis, in order to guarantee stability and order in the region and to exercise control over the implementation by both sides of their obligations. It is vital once more to emphasize that the basic cause of the current conflict in the region is the continuing illegal occupation by Israel of Palestinian territory, including East Jerusalem, the Syrian Golan Heights, and Lebanese strip, Mazariya Shebaa.

54. **Ms. Nasser** (Observer from Palestine), speaking on the basis of the right to respond, said that the declaration by the representative of Israel regarding the report of the Special Committee demonstrates the profound disrespect of Israel towards international law and the efforts of the world community to foster the

observation of international law. The motives behind the creation of the Special Committee 30 years ago remain valid today - i.e., the continuing occupation of Palestinian and Arab lands seized by Israel in 1967 and the systematic violation by Israel of the rights of the civilian Palestinian population living under occupation.

55. The Palestinian people continue their resistance inspired by faith in the justice of their struggle and by the conviction that in the final analysis legality will triumph, and that with the support and solidarity of the international community a just and peaceful settlement will be achieved. In this connection, calls for the dissolution of the Special Committee can only be met with disagreement. In addition, the situation itself is absurd in which a people that have been deprived of rights and statehood and that have appealed to the international community for assistance to defend itself against human rights violations should be subject to criticism and humiliation while the state that refuses to observe the norms of international law permits itself to continue to violate these norms with no penalty. In addition, Israel has called on other states to agree with its position. Such appeals must be rejected.

56. As regards the statements of the representative of Israel regarding the ""waste" of UN resources, one must consider how many resources it could save and how much suffering could be avoided if Israel would observe the norms of the international community and carry out the requirements of the resolutions of the UN.

57. Commenting on the statements of the representative of Israel with regard to acts of terror, the speaker noted that the Palestinian side has repeatedly condemned and will condemn any acts of suicide bombers that are directed against peaceful citizens. On the other hand, there is no basis for the assertion that these actions are the cause of the conflict. It is entirely obvious that they are the consequence of a military colonial occupation, which must be ended.

58. **Mr. Assaf** (Lebanon), speaking on the basis of the right to respond, said that he supports the previous speaker and also rejects the call by Israel for the dissolution of the Special Committee. The representative of Israel accused the members of the Special Committee of tendentiousness, and yet its staff has representatives from countries that have no direct relationship to the conflict, who are difficult to suspect of tendentiousness. Israel considers any facts cited in the report to be not objective. But it is impossible to be objective and to defend Israel just as it is impossible to be objective and not to defend the Palestinian people. These are the current realities - an occupation and a people striving for the establishment of justice.

59. Israel, as follows from the words of its representative, announces its great concern for the resources of the UN, although at the same time it spends enormous resources infringe on the rights of the Palestinians. If it really wanted to save on resources of the UN, would it not be simpler to put an end to the inhuman actions with regard to the Palestinians and other residents of the occupied territories? Then there would be no necessity for the existence of the Special Committee.

60. Even more striking is the statement of Israel that it has nothing against the Palestinians - and this despite the occupation since 1967 of their territories in an area of 6000 square kilometers and the refusal to withdraw from it, a policy of settling on these lands Jewish colonists from the entire world, the building of a wall, and the bombardment of peaceful residents using airplanes and helicopters. Israel also declares that it has nothing against Syrians - and this despite the occupation since 1967, the refusal to withdraw from the Golan Heights, and the pursuit of a policy of Judaization and the settlement on these lands of 27,000 Jewish colonists from various countries of the world.

61. The speaker declared his support for the Arab peace initiative and his desire to live with Israel in peace as good neighbors under the condition that Israel cease its occupation of Arab territories.

Organization of work

62. **Mr. Carnelos** (Italy), speaking in the name of the European Union, suggested postponing until the following week the consideration of the draft resolution and the voting, in order to give the delegations more time to discuss them for the purpose of reaching a satisfactory result.

63. **Mr. Keiswetter** (United States), **Mr. Blazey** (Australia) and **Ms. Nasser** (Observer from Palestine) supported this proposal.

64. **The Chairman** offered to postpone the voting on the draft resolutions under items 83 and 84 until Tuesday, 11 November 2003.

65. *The proposal was adopted.*

The meeting rose at 12:30 p.m.